

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL**

Writ Petition No. 942 of 2005 (S/S)

Ashish Sharma S/o Late Shri J.C. Sharma
R/o Near Kitply Vishnu Bihar Rampur
Presently posted as Assistant Clerk
State Bank of India, Branch Bilaspur
District Rampur ...Petitioner.

Versus

1. State Bank of India
Assistant Regional Manager
Regional Office Kusum Khera Haldwani
District Nainital
2. Branch Manager
State Bank of India
Branch Bilaspur, Rampur ...Respondents

Sri Amish Tiwari, learned counsel for the petitioner
Shri, Ashish Joshi, learned standing counsel for the State.

Hon'ble B.C. Kandpal, J.

By means of this writ petition, the petitioner has sought a relief in the nature of certiorari quashing the impugned transfer order dated 02.07.2005 passed by the respondent No. 1.

Brief facts giving rise to this petition are that the petitioner was appointed as Assistant in the State Bank of India, Agriculture Development Branch Rampur from where he was transferred to State Bank of India, Branch Bilaspur, Rampur on 14.12.2003 as Senior Assistant. After the transfer of the petitioner, he was served with a show cause notice on 21.06.2003 issued by respondent No. 1 i.e. Assistant Regional Manager, Regional Office Kusum Khera, Haldwani seeking explanation within one week pertaining to some irregularities in handling of house loan and proposals at State Bank of India, Agriculture Development Branch Rampur. On 28.06.2005 in reply to that notice the petitioner stated that the alleged irregularities were beyond the purview of the power and authorities of the post and cadre of the petitioner at that relevant time, therefore, he cannot be held responsible for the said

irregularities. Thereafter, respondent No. 1 on 02.07.2005 passed an order stating therein the petitioner is transferred to Bazpur Branch on administrative ground with an advise to the respondent No. 2 to relieve the petitioner with immediate effect. The petitioner immediately on 06.07.2005 sent his representation to the respondent No. 1 and informed about his gross hardship with a request that he may not be transferred from Bilaspur to Bazpur.

In compliance of the aforesaid transferred letter dated 02.07.2005 the petitioner was relieved on 11.07.2005 for Bazpur Branch.

Heard learned counsel for the parties and perused the record.

I do not find any ground on the basis of which, I may reach to any conclusion that the impugned transfer order suffers with any sort of malafide. Learned counsel for the petitioner could not point out any manifest error of law in the impugned order of transfer. The petition, therefore, lacks merits and is liable to be dismissed in-limine.

Accordingly the writ petition is dismissed.

(B.C. Kandpal, J.)

13.07.2005
ASWAL